

PATENT
U.S. Patent Application Serial No. 09/768,069
Attorney Docket No. RIC00025

REMARKS

In the non-Final Office Action of March 27, 2006, the Examiner rejects claim 1 under the judicially created doctrine of double patenting over claim 1 of U.S. Patent No. 6,931,010. The Examiner objects to claims 2-13 as being dependent on a rejected base claim, but would be allowable if rewritten into independent form including all limitations of the base claim and any intervening claims. The Examiner indicates that claims 14-21 and 23 are allowed.

Claims 1-21 and 23 are pending.

Applicant notes with appreciation that claims 14-21 and 23 have been indicated as containing allowable subject matter.

Double Patenting Rejection

Claim 1 is provisionally rejected under the judicially created doctrine of double patenting over claim 1 of U.S. Patent No. 6,931,010.

While not acquiescing in the Examiner's position but to expedite prosecution, Applicant submits herewith a terminal disclaimer in response to the above rejection.

Claim 1 is believed allowable in view of the terminal disclaimer. Therefore, Applicant respectfully requests withdrawal of the provisional double patenting rejection of claim 1.

Claim Objections

The Examiner objects to claims 2-13 as being dependent on a rejected base claim, but would be allowable if rewritten into independent form including all limitations of the base claim and any intervening claims.

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Applicant submits that claim 1 is allowable in view of the terminal disclaimer submitted herewith. Claims 2-13 depend from claim 1 and are believed to be in condition for allowance based on the allowability of claim 1.

Applicant respectfully requests reconsideration and withdrawal of the objection to claims 2-13.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,
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